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DATE FILED: March 14, 2024

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-against-

PAI YANG,
Defendant.

18-CR-033 (KMW)
22-CV-8024 (KMW)

ORDER

KIMBA M. WOOD, United States District Judge:

Petitioner-Defendant Yang has moved for relief from his conviction pursuant to 28 U.S.C. § 2255 on the ground of ineffective assistance of counsel. (ECF No. 1).¹ On November 15, 2023, the Court ordered Petitioner-Defendant to return an executed “Attorney-Client Privilege Waiver (Informed Consent)” form (the “Waiver”); the Government to serve the Waiver on Defendant’s former counsel, Bradley Henry, Esq. (“Counsel”); and Counsel to provide a sworn affidavit addressing the allegations of ineffective assistance of counsel, within 60 days of being served with the Waiver by the Government. (ECF No. 12). The Court received the Waiver on January 10, 2024. (ECF No. 13). By March 22, 2024, the Government is ordered to provide an update to the Court as to whether it served the Waiver on Counsel and whether Counsel provided an affidavit addressing the allegations of ineffective assistance of counsel.

¹ All citations in this Order are to the civil docket.

All further papers filed or submitted for filing by either party must include the criminal docket number (18-CR-033) and will be docketed in the criminal case. The Clerk is respectfully directed to mail a copy of this Order to Petitioner-Defendant.

SO ORDERED.

Dated: New York, New York
March 14, 2024

/s/ Kimba M. Wood
Kimba M. Wood
United States District Judge